

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GARY ARMSTRONG

CIVIL ACTION

JOHN KERESTER

NO. 08-1165

FILED

DEC 30 2008

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

ORDER

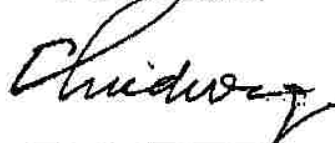
EDMUND V. LUDWIG, J.

AND NOW, this 29th day of Dec., 2008, upon careful and independent consideration of the petition for writ of habeas corpus, and after review of the Report and Recommendation of the United States Magistrate Judge Jacob P. Hart, it is

ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. The petition for writ of habeas corpus is DENIED.
3. There is no basis for the issuance of a certificate of appealability.

BY THE COURT:



EDMUND V. LUDWIG, J.